

North Lanarkshire Council Report

Youth, Equalities and Empowerment Committee

approval noting

Ref LMcM/AC/EW

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Gender Based Violence Policy

From Lizanne McMurrich, Head of Communities

Email mcmurrichl@northlan.gov.uk **Telephone** 01236 812338

Executive Summary

This report presents, for approval, a Gender Based Violence Policy for the Council. The policy sets out the Council's commitment to creating an environment where employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others.

Recommendations

The Youth, Equalities and Empowerment Committee is recommended to approve the Gender Based Violence Policy.

The Plan for North Lanarkshire

Priority Improve North Lanarkshire's resource base

Ambition statement (23) Build a workforce for the future capable of delivering on our priorities and shared ambition

1. Background

In November 2017, Guidance for Line Managers Supporting Employees Experiencing Gender Based Violence was approved by CMT and endorsed by the former Youth, Communities and Equalities Sub-Committee.

Members will be aware that throughout 2019 the Council has been participating as an early adopter in the Equally Safe at Work (ESAW) Employer Accreditation Programme. Equally Safe recognises that violence against women is both a cause and consequence of gender inequality. Therefore addressing inequality in the workplace is a fundamental step in preventing violence against women.

To achieve accreditation at Bronze level in the first year, the Council requires to meet each of the six ESAW Standards – Leadership; Data Collection and Use; Occupational Segregation; Flexible Working; Workplace Culture and Understanding and responding to violence against women.

In terms of the proposed Gender Based Violence policy and meeting the accreditation standard, two standards in particular refer specifically to responding and preventing violence against women as follows:-

- *Leadership* - leaders demonstrate strong commitment to preventing violence against women and advancing gender equality; and
- *Understanding and responding to violence against women* - Staff understand the link between women's labour market inequality, violence against women and wider gender inequality, and the organisation creates a culture in which women feel confident and safe to disclose.

Strong leadership has already been demonstrated through the public commitment made to the ESAW agenda by the Chief Executive and the Elected Member Equality Champion and the Senior Officer participation in the working group set up to co-ordinate the work.

Although the Guidance for Managers exists to support employees experiencing gender based violence, the ESAW Working Group identified that a Policy framework which sets out clearly the responsibilities of all employees across the organisation was required.

2. Report

2.1 Gender Based Violence Policy

The policy sets out the Council's commitment to creating an environment where employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others.

It details:

- what gender based violence is;
- the prevalence of it within North Lanarkshire;
- the disproportionate impact on girls and women;
- it's impact on the workplace;

- the roles and responsibilities for all employees to support the application of the policy, but in particular:-
 - Council services;
 - line managers;
 - Employee Relations Advisers; and
 - GBV Support Officers.

To support the application of this policy the *Guidance for Line Managers Supporting Employees Experiencing Gender Based Violence* is being refreshed and updated.

Once approved the policy and its associated guidance for managers and other related resources will be promoted widely across the organisation.

3. Equality and Diversity

3.1 Fairer Scotland Duty

Ensuring employees experiencing gender based violence are supported will ensure victims continue to have access to an independent income. This, particularly in relation to domestic abuse, can be the key element to allow a means to leave an abusive relationship

3.2 Equality Impact Assessment

An equality impact assessment is underway which will be used to inform the *Guidance for Line Managers*. The policy contributes to the Council's requirements under the Public Sector Equality Duties by advancing gender equality.

4. Implications

4.1 Financial Impact

Supporting employees experiencing GBV could save the Council money through, for example, reduced absence as set out within the guidance.

4.2 HR/Policy/Legislative Impact

The guidance, additional resources and the Pledge will have a positive impact for employees across North Lanarkshire communities.

4.3 Environmental Impact

None.

4.4 Risk Impact

The Gender Based Violence policy will assist the Council advance aspects of the Equality Act 2010 Public Sector Equality Duty to:-

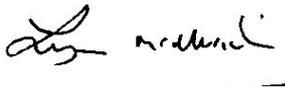
- eliminate unlawful discrimination, harassment and victimisation; and
 - foster good relations between people who share protected characteristics and those who do not.
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5. Measures of success

- 5.1 North Lanarkshire employees who are experiencing gender based violence feel enabled to access support and are safer.
 - 5.2 Line managers have access to resources to assist them support employees.
 - 5.3 Reduction in absenteeism.
 - 5.4 North Lanarkshire Council's reputation as an excellent employer is enhanced.
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6. Supporting documents

- 6.1 Equality Strategy 2019-2024
<https://mars.northlanarkshire.gov.uk/egenda/images/att91529.pdf>
- 6.2 Appendix 1 - Gender Based Violence Policy



Lizanne McMurrich
Head of Communities

Gender-Based Violence Policy - September 2019

1. Introduction

- 1.1 Gender-Based Violence (GBV) is an umbrella term that encompasses a spectrum of abuse experienced mostly by women and perpetrated mainly by men including: domestic abuse, rape and sexual assault, childhood sexual abuse, sexual harassment, stalking, commercial sexual exploitation and harmful traditional practices such as female genital mutilation (FGM), forced marriage and so-called “honour” crimes.
- 1.2 Gender-based violence can happen to anyone regardless of sex, sexual identity or gender. The key risk factor for experiencing GBV, however, is being female.
 - 4221 referrals for GBV were made to agencies in North Lanarkshire in 2018-2019, 90% of these referrals were for women.
 - 4 out of every 5 incidents of domestic abuse reported to Police Scotland have a female victim and male perpetrator.
- 1.3 Although primarily experience by women, the policy recognises that men too can experience abuse.
- 1.4 The policy also recognises that although experienced mainly outwith the workplace GBV can, and does, occur between colleagues in the workplace, e.g. sexual harassment, stalking etc.
- 1.5 Given its prevalence within the wider population and the size of the workforce of North Lanarkshire Council (NLC), it is inevitable that a significant number of NLC employees will have experience of some form of abuse, past or current. It is further recognised that a number will be perpetrators.
- 1.6 Given the disproportionate impact on women and girls, GBV is one of the most sensitive indicators of gender inequality. As such, implementation of this policy will advance gender equality under the Equality Act 2010.
- 1.7 As well as being rooted in gender inequality, GBV cuts across boundaries of ethnicity, age, disability, sexual orientation, religion and belief. The policy will therefore also contribute to the Council’s legal duties in relation to these other aspects of the Equality Act.
- 1.8 Whether it takes place within or outside the workplace, the employment implications for employees who experience abuse are significant. It can have a detrimental impact on health and well-being, which may affect attendance, performance and productivity.
- 1.9 Allegations of abuse made against employees could have potential implication for their employment role and could breach organisational and professional codes of conduct.

2 Aims and Purpose of the Policy

- To raise awareness of GBV as a serious health and social issue, highlighting its hidden nature and the impact on those affected by it;
- To send a positive message to employees with experience of abuse that they will be listened to and supported;
- To project a clear signal that the actions of employees who perpetrate abuse, within or outside the workplace, is not acceptable and could lead to action being taken under the Council's Disciplinary Policy ;
- To provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to others, for example employees and service users;
- To clarify the scope for managers to interpret and apply provision within existing NLC policies when responding to GBV.
- To create a potential cost benefit for NLC, by contributing to the reduction of absence related costs and increased productivity;
- To improve the organisation's reputation by formally recognising and responding to GBV as a serious workplace issue.

3. Scope – Who is the Policy intended to benefit or affect

All employees on NLC.

4. Principle Content

4.1 NLC is committed to creating an environment where employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. The right of staff not to disclose is respected and employees should not be pressured into sharing information they do not wish to.

4.2 Disclosures

All disclosures of abuse experienced by employees must be treated confidentially. Domestic abuse is recognised as a risk factor in the lives of individuals and others e.g. children. This does not mean that every case requires an escalated, immediate response and indeed this can be unsafe when not carefully considered. Where circumstances indicate a significant or immediate risk of harm to the individual or others those circumstances should be assessed and public protection procedures considered e.g. child protection, adult protection.

Where information is made available about employees who are alleged to be perpetrators of abuse, advice must be sought from the HR department on how to proceed.

4.3 Roles and Responsibilities

All employees of North Lanarkshire Council have a responsibility to ensure their workplaces are safe and they strive to prevent and eradicate all forms of gender based violence.

NLC is committed to creating an environment where staff affected by abuse feel confident that support and advice is available from a range of sources.

NLC Services will provide

- Specialist information and support to staff with experience of abuse.
- Specialist information and guidance for managers and other individuals involved in the application of this policy.

Line Managers

The Council has produced a **Guidance for line managers supporting employees experiencing gender based violence** to support the application of this policy and should be referred to in all disclosures of gender based violence.

The line manager is responsible for:

- Being aware of the possibility that staff members could be affected by past or current abuse;
- Taking a victim focused approach when abuse is disclosed.
- Recognising potential signs of abuse;
- Initiating discussion if you have concerns about abuse;
- Responding sensitively to disclosure;
- Helping your staff member assess their level of risk and plan with them for their safety.
- Considering what workplace supports you could provide within the scope of current NLC policy provision e.g. Special Leave Policy
- Providing information about other sources of help.
- Keeping good records, documenting discussion and action taken, ensuring that information is stored confidentially.

Employee Relations Advisers are responsible for:

- Providing guidance to managers or individuals on the application of this policy.
- Providing advice to managers or individuals on other related and relevant policies.

GBV Support Officers

GBV Support Officers will operate a confidential contact and support for staff experiencing abuse. They can also be accessed by line managers and employee relations advisers who are looking for advice and assistance in supporting an employee.